

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi - 110003
Dated: As per e-signature

To,

The Principal Secretary (Forests),
Government of Uttar Pradesh,
Lucknow.

Subject: Proposal for seeking *ex-post facto* approval of the Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.069777 ha of forest land for construction of an approach road to a new IOCL retail outlet at Khasra No. 10, Village Mitai, Tehsil Hathras, on Ummed-Nagla Road, Uttar Pradesh. -reg.

Sir,

I am directed to refer to Government of Uttar Pradesh letter No. P-44/81-2-2022-800(69)/2022, dated 25.05.2022 on the above mentioned subject, seeking prior approval of Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, and to say that the said proposal has been examined by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the aforesaid Adhiniyam, in its meeting held on 27.02.2026.

2. After careful consideration of the proposal of the Government of Bihar and on the basis of the recommendations of the Advisory Committee (AC), the Central Government hereby agrees to accord **Stage-I / In-principle** approval under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for *ex post facto* approval for diversion of 0.069777 ha of forest land for construction of an approach road to a new IOCL retail outlet at Khasra No. 10, Village Mitai, Tehsil Hathras, on Ummed-Nagla Road, Uttar Pradesh, subject to the following conditions: -

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. Cost of raising ten times number of trees to be felled (subject to minimum number of 100 plants (including maintenance) shall be realized from the user agency towards Compensatory Afforestation.
- iii. CA plantation (i.e planting of 100 trees) shall be raised over 0.14 ha of Protected Forest land as roadside plantation along the Sadabad-Jalesar Road, Range Hathras, identified by the State

Government within two years from the date of Stage-II/final approval at the cost of user agency.

- iv. The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC (pt.) dated 29.12.2023 in this regard;
- v. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. The Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, into the account of National Authority, CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>);
- vii. The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;
- viii. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- ix. The KML files of proposed forest area for diversion and planting of 100 trees shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with GPS id.
- x. ***The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.***
- xi. ***The Ministry has issued guidelines dated 21.01.2026 prescribing penal compensatory afforestation in cases where forest land has been used in violation of the provisions of the Adhinyam. Accordingly, the State Government shall ensure compliance with the said guidelines and identify land towards penal compensatory afforestation in lieu of forest land used in the violation of the Adhinyam along with supporting documents such as the KML file, Compensatory Afforestation scheme, suitability certificate, etc. The compensatory levies corresponding to the penal CA shall be deposited in the account of the State CAMPA, and the same shall be duly intimated to the Ministry.***

- xii. ***Penal compensatory afforestation proposed by the State Government shall be verified by Regional Office, Ranchi and report shall be sent to the Ministry for examination along with CA details during submission of compliance report of Stage- I approval.***
- xiii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xiv. No labour camp shall be established on the forest land and no work shall be allowed after sunset.
- xv. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xvi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xvii. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates.
- xviii. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xix. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xx. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
- xxi. No damage to the flora, fauna or the environment of the adjoining area shall be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost;
- xxii. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
- xxiii. The total forest area utilized for the project shall not exceed 0.069777ha and the forest area to be diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect.

- xxiv. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly.
- xxv. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency.
- xxvi. The user agency shall comply all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- xxvii. Violation of any of these conditions will amounts to violation Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Further, it may also be noted that this in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions within 5 years, the in-principal approval may be revoked by the Central Government.

Digitally signed by Prashant Rajagopal
Date: 27-03-2026 (Prashant Rajagopal)
13:44:51 Deputy Inspector General of Forests

Copy to: -

1. The PCCF (HoFF), Department of Forest, Government of Uttar Pradesh, Lucknow.
2. The DDGF (Central), Regional Office, Lucknow.
3. The Nodal Officer (FCA), Department of Forest, Government of Uttar Pradesh, Lucknow.
4. The Monitoring Cell, FC Division.
5. The User Agency